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10/675,235	09/30/2003	Jeffrey Raymond Reihl	73715-331389	9832

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FAEGRE & BENSON LLP  
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EXAMINER
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LY, CHEYNE D

ART UNIT	PAPER NUMBER
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2168

NOTIFICATION DATE	DELIVERY MODE
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08/06/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/675,235	<b>Applicant(s)</b> REIHL ET AL.	
	<b>Examiner</b> CHEYNE D. LY	<b>Art Unit</b> 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20, 26-30 and 34-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 26-30, and 34-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

1. Applicant's arguments with respect to claims 1-20, 26-30, 34-43, filed May 18, 2009, have been considered but are moot in view of the new ground(s) of rejection.
2. Claims 21-25 and 31-33 are withdrawn.
3. The addition of claims 44-47 has been entered.
4. Claims 1-20, 26-30, 34, and 35-47 are examined on the merits.

### **CLAIM REJECTIONS - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
7. Claims 1, 10, 34, 36, 38, 42, 44, 45, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chowdhry et al. (US 2003/0167315 A1) (Chowdhry hereafter) taken with Miller (US 2002/0165752 A1).

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8. In regard to claim 1, Chowdhry discloses an Internet delivery method delivering electronic information products to a plurality of users via the Internet, the method comprising:
  9. storing a plurality of display formats in a database, said display formats including at least a default display format and a custom display format (page 4, [0096], e.g. Database 104 also stores all parameters necessary for recreating portlets that have been defined by the portlet authors. Portlet authors may create portlets using the portlet wizard and store them in this database for either personal or shared use);
  10. storing information indicating whether one or more of said plurality of users is a specific type of user, wherein the specific type of user is authorized to access one or more content databases (page 4, [0095], e.g. user information stored by database 104 includes login and password information as well as parameters necessary to determine data access rights and privileges);
  11. determining, upon a valid authentication of a user from said plurality of users, whether the authenticated user is said specific type of user (page 15, [0256] and [0257], e.g. LoginForm module);
  12. delivering, upon determination that the authenticated user is said type of user, a system display page formatted in said custom display format, (page 15, [0260], e.g. When the user account is set up by an administrator, the user is placed in a user group. Each user group has a default page associated with it. In the illustrated embodiment there are five pages per user account, with a limit of 15 portlets per page. In this embodiment, we have decided to let

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the default page only be modified by the administrator, to let the user have total control over the contents in the remaining four pages);

13. delivering, upon determination that the authenticated user is not said specific type of user, the system display page formatted in said default display page format (page 15, [0257], e.g. When a user logs in but does not belong to a user group, they are a member of the default group "guest");
14. receiving a request for an electronic information product from said one or more electronic information products listed on said system display page (page 6, [0119], e.g. dropdown list, and page 7, [0138], e.g. list of names/value pair parameters);
15. formatting, upon determination that the authenticated user is said specific type of user, said electronic information product to a customized version corresponding to said custom display format via retrieving one or more information items from said one or more content databases (page 15, [0263], e.g. user selects the tab for a page and the UserForm module 3800 requests the page by PageID at 244 from the ViewPageModule 242. The ViewPageModule 242 resides on the server 100. The ViewPageModule 242 retrieves the page from the database 104 and retrieves all the portlets against that particular PageID. The whole contents are then passed back to the user at 258 for display in the user interface);
16. delivering, upon determination that the authenticated user is said specific type of user, said customized version of said electronic information product (page 15, [0263], e.g. user selects the tab for a page and the UserForm module 3800 requests the page by PageID at 244 from the ViewPageModule 242. The ViewPageModule 242 resides on the server 100. The ViewPageModule 242 retrieves the page from the database 104 and retrieves all the

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portlets against that particular PageID. The whole contents are then passed back to the user at 258 for display in the user interface); and

17. delivering, upon determination that the authenticated user is not said specific type of user, said electronic information product or another electronic information product formatted in said default display format (page 15, [0257], e.g. When a user logs in but does not belong to a user group, they are a member of the default group "guest").
18. However, Chowdhry does not explicitly describe said system display page configured to receive search criteria for one or more electronic information products. Miller discloses said system display page configured to receive search criteria for one or more electronic information products (page 4, [0062], e.g. the employer may input an application identification number to find a specific application. Non-members preferably can do this as well as members. If a nonmember accesses this search, the Become a Member fee descriptions are preferably shown on the page with a continue button to link to the next page. The first page of the application will preferably show up. With the activating of the continue button, the non-member preferably goes to the page which will list the application and the payment requirement to get the application, or become a member).
19. Chowdhry describes a method and system for the custom design of web portals by users to improve system efficiency, and using a repository of portlets that treats a portlet as an object, enabling a user to drag a portlet from the repository into the page (page 13, [0234]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to improve the method of Miller to provide a way for the custom design of web portals by users to improve system efficiency, and using a repository of portlets that treats a

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portlet as an object, enabling a user to drag a portlet from the repository into the page as described by Chowdry.

20. In regard to claim 36, Chowdhry describes said customized electronic information product includes information associated with embedding said customized electronic information product in said display page. (page 13, [0234], e.g. using a repository of portlets that treats a portlet as an object, enabling a user to drag a portlet from the repository into the page).
21. In regard to claims 10, 34, 38, and 42, Chowdhry discloses the system and computer-readable storage medium (page 4, [0099]) for implementing the above cited method.
22. In regard to claim 44, 45, and 47, Chowdhry in view of Miller discloses the electronic information product formatted in the default display format is configured to receive at least one response from the user (page 4, [0062], e.g. the employer may input an application identification number to find a specific application. Non-members preferably can do this as well as members. If a nonmember accesses this search, the Become a Member fee descriptions are preferably shown on the page with a continue button to link to the next page. The first page of the application will preferably show up. With the activating of the continue button, the non-member preferably goes to the page which will list the application and the payment requirement to get the application, or become a member).
- 23.
24. Claims 2-9, 11-20, 26-30, 35, 37, 39-41, 43, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chowdhry et al. (US 2003/0167315 A1) (Chowdhry hereafter)

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taken with Miller (US 2002/0165752 A1), as applied to claims 1, 10, 34, 36, 38, 42, 44, 46, and 47, in further view of Bolnick et al. (US 2002/0023230 A1) (Bolnick hereafter).

25. In regard to claim 2, Chowdhry and Miller describe the claimed invention except for the limitation of the information indicating whether the user is the specific type of user comprises subscription account information. Bolnick describes the information indicating whether the user is the specific type of user comprises subscription account information (page 1, [0010], e.g. subscribe to an online portal account). Bolnick describes an improvement to conventional portals (page 1, [0009]) by providing personalized information to users (page 2, [0024]). Chowdhry describes a method and system for the custom design of web portals by users to improve system efficiency, and using a repository of portlets that treats a portlet as an object, enabling a user to drag a portlet from the repository into the page (page 13, [0234]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to improve the method of Bolnick to provide a way for the custom design of web portals by users to improve system efficiency, and using a repository of portlets that treats a portlet as an object, enabling a user to drag a portlet from the repository into the page as described by Chowdry and Miller.

26. In regard to claim 3, Bolnick in view of Chowdhry and Miller discloses there are a plurality of user types (page 8, [0145], e.g. one member of one family, or all members of one family) and plurality of custom display formats each custom display format from said plurality of custom display formats corresponding to at least one user type from said plurality of user types (pages 6-7, [0114], e.g. family database entries...can be show in a Families' Display list...for each family icon).



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27. In regard to claim 4, Bolnick in view of Chowdhry and Miller discloses wherein said plurality of custom display formats comprises custom display formats in different languages (page 7, [0138], e.g. English, French, etc.).
28. In regard to claim 5, Bolnick in view of Chowdhry and Miller discloses either one or both of the custom display format and the default display format includes flexible or changeable information (page 7, [0143]-[0144], e.g. “Your Home” site focuses on the individual’s day-to-day routine...calendars, to-do lists...”, page 3, [0030] wherein the different formats represent format includes flexible or changeable information).
29. In regard to claims 6 and 7, Bolnick in view of Chowdhry and Miller discloses the customized version of the electronic information product is transmitted to a wireless device; and transmitting the customized version of the electronic information product formatted in a customized display format appropriate for the wireless device (page 2, [0026], e.g. wireless access, page 5, [0068], e.g. conveying user-personalized content using a wireless access device, and page 6, [0105], e.g. wireless Web).
30. In regard to claim 8, Bolnick in view of Chowdhry and Miller discloses the electronic information products comprises healthcare information (page 5, [0073], e.g. prescription information).
31. In regard to 9, Bolnick in view of Chowdhry and Miller discloses the user's use of the method is tracked (Figure 17, e.g. Last Updated: Today 10:34am).
32. In regard to claims 11-19 Bolnick in view of Chowdhry and Miller describes the system for implementing the above cited method (page 4, [0062], e.g. a real-time social network service provider). Further, Bolnick describes the electronic information product is

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transmitted by cradle synchronization (page 3, line 2, e.g. a synchronize device, a personal digital assistant).

33. In regard to claim 20, Bolnick in view of Chowdhry and Miller discloses a method of delivering electronic information products to a plurality of users via the Internet as cited above. Further, Bolnick describes delivering...a customized electronic healthcare information product (page 5, [0073], e.g. prescription information) including information retrieved from the one or more content databases associated with the subscription account information (page 4, [0063]-[0066], e.g. database management system) to a wireless device of the user, said customized electronic healthcare information product formatted in accordance with the custom display format associated with the determined user category and the wireless device (page 2, [0026], e.g. wireless access, page 5, [0068], e.g. conveying user-personalized content using a wireless access device, and page 6, [0105], e.g. wireless Web).
34. In regard to claim 26, Bolnick in view of Chowdhry and Miller discloses the custom display format includes a customized interface providing access to one or more databases, products, or functions (page 4, [0063]-[0066], e.g. database management system) associated with a set of subscription accounts of the identified specific type of user (page 1, [0010], e.g. subscribe to an online portal account).
35. In regard to claim 27, Bolnick in view of Chowdhry and Miller discloses the customized version of the electronic information product includes information gathered from a group consisting of a Physicians Desk Reference content database, proprietary pharmaceutical databases, and healthcare related databases (page 5, [0073], e.g. prescription information).

36. In regard to claim 28, Bolnick in view of Chowdhry and Miller discloses the subscription account information includes authorization to access one or more functions associated with the specific type of user (page 1, [0010], e.g. subscribe to an online portal account), wherein the one or more functions are selected from a group consisting of pharmaceutical inventory management, formulary management (page 5, [0073], e.g. prescription information), continuing medical education, healthcare related web community servers, and pharmaceutical order and delivery.
37. In regard to claim 29, Bolnick in view of Chowdhry and Miller discloses the one or more content databases have stored therein one or more sets of healthcare-related information (page 5, [0073], e.g. prescription information) and a plurality of display formats, the plurality of display formats including custom display formats associated with particular users of the Internet delivery system or categories of users of the healthcare information delivery system (page 4, [0063]-[0066], e.g. database management system, and pages 6-7, [0114], e.g. family database entries...can be show in a Families' Display list...for each family icon), and wherein the one or more modules include the following modules:
- an authorization module configured to provide access to registered users of the Internet delivery system in a customized fashion, including receiving search criteria from the registered users (page 2, [0019], e.g. portal generates a query for information by group profile category to content providers in order to request information of interest to the general profile categories assigned to the users of the portal) and displaying requested healthcare-related information to the registered users in accordance with the custom display formats that are associated with the registered users (page 7, [0141], e.g. Once logged on, the user is in a

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secure connection...view a personal calendar summary, messages summary, and list of important links);

a requesting module configured to receive a set of search criteria from the registered users through the custom display format and search the one or more databases for healthcare-related information corresponding to the set of search criteria (page 2, [0019], e.g. portal generates a query for information by group profile category to content providers in order to request information of interest to the general profile categories assigned to the users of the portal); and

a delivery module configured to deliver the healthcare-related information returned from the requesting module to the registered users in accordance with those of the customized display formats that are associated with the registered users ((page 5, [0073], e.g. prescription information, and page 7, [0141], e.g. Once logged on, the user is in a secure connection...view a personal calendar summary, messages summary, and list of important links).

38. In regard to claim 30, Bolnick in view of Chowdhry and Miller discloses the requesting module further comprises an interface to a formulary management system (page 5, [0073], e.g. prescription information).

39. In regard to claim 35, Bolnick in view of Chowdhry and Miller describes the invention as cited above, except for the limitation of “presentation logic on how to create the customized version of the electronic information product.” Bolnick describes an interface comprising a “Help” (Figure 6) which would reasonably provides the “presentation logic on how to create the customized version of the electronic information product.” On of ordinary skill in the art

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at the time of the invention would have been motivated by Bolnick to have a more easily accessible centralized access to useful personal information related to a consumer user or customer (page 2, column 1, lines 4-6). Therefore, it would have been obvious to one of ordinary skill in the art to use the system of Bolnick with “presentation logic on how to create the customized version of the electronic information product” via the “Help” feature.

40. In regard to claim 37, Bolnick in view of Chowdhry and Miller describes said formatting said electronic information product to said custom display format further includes:

41. accessing an application framework communicable with one or more services associated with said electronic information product (page 2, [0026], e.g. user using, e.g., a web interface, an interactive voice response (IVR) system, a wireless access device, a communications device, an interactive television (TV) device, a palm-top computing device, a synchronized device, a personal digital assistant, a computing device or another device having a direct and/or indirect access to the Internet), and

42. retrieving, via said application framework, information associated with said custom display format from said one or more services (page 3, [0028], e.g. the associations can include, e.g., a manufacturer, a distributor, a retailer, an non-profit, a service provider, a sports franchise, an information provider, a news agency, a content provider, a television program, a movie, an entertainment event, or an agency, and [0031], e.g. the pushed information can include, e.g., prescription information, automobile service information, purchased product information, travel reservation information, sports information, TV programming information, deductions information charitable contribution information,

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encrypted information, financial information, membership information, educational information, voicemail messages, and/or any information related to the user).

43. In regard to claims 39-41, 43, and 46 Bolnick in view of Chowdhry and Miller describes the invention as cited above.

### CONCLUSION

44. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
45. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
46. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the

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47. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199. The USPTO's official fax number is 571-272-8300.
48. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.
49. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached on (571) 272-3642.

/Cheyne D Ly/

Primary Examiner, Art Unit 2168